

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BECKER FAMILY BUILDERS CO-
PLAINTIFFS GROUP,

Plaintiffs,

v.

FEDERAL DEPOSIT INSURANCE
CORPORATION, as receiver for
WESTSOUND BANK; and WSB
FINANCIAL GROUP, INC.,

Defendants.

CASE NO. C09-5477RJB

**ORDER ON DEFENDANT FEDERAL
DEPOSIT INSURANCE
CORPORATION'S NOTICE OF
SETTLEMENT OF TEMPLETONS'
CLAIMS AND MOTION FOR
SUMMARY JUDGMENT ON THE
TEMPLETONS' CLAIMS UNDER CR
56(b)**

This matter comes before the Court on the Defendant Federal Deposit Insurance Corporation's ("FDIC") Notice of Settlement of Templetons' Claims. Dkt. 85. The Court has reviewed the pleadings filed and the record herein.

The FDIC, as receiver for Westsound Bank, and Plaintiffs Matthew A. Templeton, Cher Templeton, and Creative Structures and Designs, Inc. ("Templetons"), have reach a tentative settlement. Dkt. 85. The FDIC states that the parties anticipate that final paperwork will be filed in around 30 days. *Id.* The FDIC states that this settlement does not effect the claims of the other Plaintiffs. *Id.* The FDIC's Motion for Summary Judgment on the Templetons' Claims under CR 56(b) is currently pending. Dkt. 37. Trial is set to begin October 18, 2010.

The pending motion for summary judgment regarding the Templetons' claims (Dkt. 37)

1 should be stricken as moot. The settlement paperwork should be filed on or before October 15,
2 2010.

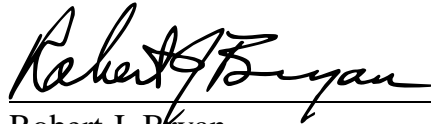
3 **III. ORDER**

4 Accordingly, it is hereby **ORDERED** that:

- 5 • Defendant Federal Deposit Insurance Corporation's Motion for Summary Judgment on
6 the Templetons' Claims under CR 56(b)(Dkt. 37) is **STRICKEN AS MOOT**;
- 7 • The settlement paperwork between the FDIC and the Templetons should be filed on or
8 before **October 15, 2010**.

9 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
10 to any party appearing *pro se* at said party's last known address.

11 DATED this 14th day of September, 2010.

12
13 

14 Robert J. Bryan
15 United States District Judge
16
17
18
19
20
21
22
23
24
25
26
27
28